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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

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Total Number of Pages in This Submission

12

Application Number	09/961,123
Filing Date	09/20/01
First Named Inventor	Vicki Jo Hardesty
Art Unit	2124
Examiner Name	Chat C. Do

Attorney Docket Number

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please Identify below):

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Matthew J. Peirce, Esq.
Signature	
Date	11/17/04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appn. Number: 09/961,123
Appn. Filed: 09/20/01
Applicant: Vicki Jo Hardesty
Title: Calorie Counting Apparatus
Examiner: Chat C. Do/2124

In response to the Office Action mailed out on August 17, 2004, please amend the application as follows and note the following remarks:

Amendments to the Specification begins on page 2.

Amendments to the Claims begins on page 3.

Remarks/Arguments begins on page 9.

Conclusion begins on page 11.